

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 29, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESE DAVID CARILLO CASILLAS (2);
ALEXIS JOEL GARCIA PALOMINO (4);
BRITTNEY LEE ZARAGOZA (10);
SALVADOR GUDINO CHAVEZ (11);
EDGAR OMAR HERRERA FARIAS(16);
ALFREDO MAGANA GARIBAY (18);
JUAN BRAVO ZAMBRANO (19);
MIGUEL REYES GARCIA (21); AND
JOSE ADRIAN MENDOZA (23),

Defendants.

No. 4:15-CR-06049-EFS-2
4:15-CR-06049-EFS-4
4:15-CR-06049-EFS-10
4:15-CR-06049-EFS-11
4:15-CR-06049-EFS-16
4:15-CR-06049-EFS-18
4:15-CR-06049-EFS-19
4:15-CR-06049-EFS-21
4:15-CR-06049-EFS-23

AMENDED¹ CASE MANAGEMENT ORDER

On March 9, 2018, the Court issued an Amended Case Management Order in this matter. See ECF No. 712. On March 27, 2018, Defendant Alexis Joel Garcia Palomino (4) was arraigned, and Jeffrey Scott Niesen was appointed as defense counsel. See ECF Nos. 726-736. Accordingly, the Court enters the following Amended Case Management Order, joining Defendant Palomino for trial on October 10, 2018. Although the Court has warned that suppression motions from all defendants except for Defendant Carillo Casillas would likely be stricken, Defendant Palomino will be permitted to file pretrial motions on any subject before the

¹ This Order amends the deadlines in the Court's prior Case Management Orders, ECF Nos. 101, 258, 281, 308, 336, 340, 361, 370, 387, 428, 448, 532, & 712.

May 29, 2018 pretrial conference. See ECF No. 712. At the May 29, 2018 pretrial conference, the Court will also consider whether it is appropriate to grant Defendant Palomino any relief from the case schedule set out by this Order.

All counsel are expected to carefully read and abide by this Order and such provisions of the prior Case Management Orders, ECF Nos. 101, 258, 281, 308, 336, 340, 361, 370, 387, 428, 448, 532, & 712, that have not been superseded hereby. The Court will grant relief from the requirements in this Order only upon motion and good cause shown.

Accordingly, **IT IS HEREBY ORDERED:**

1. Original Case Management Order. Counsel must review the procedures in the original Case Management Order, ECF No. 101 and abide by those procedures except for the new compliance deadlines in the following Summary of Amended Deadlines.

2. Pretrial Conferences

A. A pretrial conference remains **SET** for **Tuesday, May 29, 2018, at 9:00 a.m. in Richland**. At this hearing, the Court will hear **all motions in limine**.

B. An additional pretrial conference remains **SET** for **Tuesday, September 18, 2018, at 9:00 a.m. in Richland**.

C. The final pretrial conference remains **SET** for **Wednesday, October 10, 2018, at 9:00 a.m. in Richland**.

D. All Pretrial Conferences are scheduled to last no more than **30 minutes**, with each side allotted **15 minutes** to present their own motions and resist motions by opposing counsel. If any party anticipates requiring

longer than 15 minutes, that party must notify the Courtroom Deputy at least seven days prior to the hearing. Any party who fails to provide this notice will be limited to 15 minutes.

3. **Trial.** Jury trial remains SET to Wednesday, October 10, 2018, at 10:00 a.m. in Richland.

4. Pursuant to 18 U.S.C. § 3161(h)(7)(B)(i), (iii), and (iv), the Court **DECLARES EXCLUDABLE** from Speedy Trial Act calculations the period from March 29, 2018, the date of this Order, through October 10, 2018, the new trial date, as the period of delay granted for adequate preparation by counsel as to Defendant Palomino only.²

5. **Summary of Deadlines**

Rule 16 expert summaries produced to other parties and emailed to Court: USAO's Experts Defendants' Experts USAO's Rebuttal Experts	November 3, 2017 (passed) November 10, 2017 (passed) November 17, 2017 (passed)
All <i>Daubert</i> motions filed	November 28, 2017 (passed)
Reciprocal discovery provided and supplemented	January 30, 2018 (passed)
All discovery and suppression motions filed	February 6, 2018 (passed)
All motions in limine filed	April 27, 2018
Pretrial motions deadline as to Defendants Carillo Casillas (2) and Palomino (4) ONLY ³	April 27, 2018
PRETRIAL CONFERENCE	May 29, 2018 9:00 a.m. - Richland

² The Court previously declared excludable time for defendants other than Defendant Palomino in its prior Amended Case Management Order, ECF No. 712.

³ Because Nicolas Vieth, defense counsel for Defendant Carillo Casillas, and Jeffrey Niesen, counsel for Defendant Palomino, were recently appointed, both defense counsel are granted leave to file pretrial motions on any subject by no later than April 27, 2018.

CIs' identities, <i>Giglio</i> disclosures, and willingness to be interviewed disclosed to Defendants (if applicable)	August 31, 2018
Grand jury transcripts produced to Defendants	August 31, 2018
PRETRIAL CONFERENCE <i>Deadline for motions to continue trial</i>	September 18, 2018 9:00 a.m. - Richland
Exhibit & Witness lists filed and emailed to the Court	September 27, 2018
Notice of any witness likely to exercise Fifth Amendment rights and/or require appointed counsel filed with the Court	September 27, 2018
Trial briefs, jury instructions, verdict forms, and requested voir dire filed and emailed to the Court	September 27, 2018
Exhibits delivered to all other parties	September 27, 2017
Delivery of JERS-compatible digital evidence files to the Courtroom Deputy	September 27, 2018
Trial notices filed with the Court	September 27, 2018
Exhibit binders delivered to the Court	October 1, 2018
Technology readiness meeting (in-person)	October 1, 2018
FINAL PRETRIAL CONFERENCE	October 10, 2018 9:00 a.m. - Richland
JURY TRIAL	October 10, 2018 10:00 a.m. - Richland

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals Service.

DATED this 29th day of March 2018.

____s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge